Reprint
as at 1 May 2011

Transport (Vehicle Registration and Licensing) Regulations 1994

(SR 1994/244)

Transport (Vehicle Registration and Licensing) Regulations 1994: revoked, on 1 May 2011, by regulation 97(b) of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011 (SR 2011/79).

Catherine A Tizard, Governor-General

Order in Council

At Wellington this 31st day of October 1994

Present:
Her Excellency the Governor-General in Council

Pursuant to sections 35A and 48 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986, Her Excellency the Governor-

Note
Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Transport.

General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Regulations

1 Title and commencement

(1) These regulations may be cited as the Transport (Vehicle Registration and Licensing) Regulations 1994.

(2) These regulations shall come into force on 1 December 1994.

2 Interpretation

(1) In these regulations, unless the context otherwise requires,—

Act means the Transport (Vehicle and Driver Registration and Licensing) Act 1986

agricultural vehicle—

(a) means a motor vehicle designed exclusively for agricultural operations; and

(b) includes a tractor, combine harvester, hay rake, and hay bailer

dealer means a person trading in new agricultural vehicles, new boat trailers and associated new boats, new heavy motor vehicles, or new caravans

event—

(a) means a trade show, promotional event, or specific customer demonstration for display or demonstration purposes; and

(b) includes an agricultural fair or boat show

new,—

(a) in relation to an agricultural vehicle, boat trailer, heavy motor vehicle, or caravan, means a vehicle that is newly manufactured and has not previously been registered or licensed under the Act; and

(b) in relation to a boat, means a boat that is newly manufactured.

(2) A term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

Regulation 2: substituted, on 15 December 2006, by regulation 4 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 2006 (SR 2006/380).

3 Exemptions

The vehicles described in Schedule 1 are hereby exempted from—

(a) the requirements of section 5 of the Act; and

(b) the requirement to pay registration fees and licence fees,—

to the extent specified in that schedule.

3AA Authorisation by Secretary

(1) The Secretary may, by notice in writing to a dealer, authorise that person to act in reliance on the exemption under regulation 3 in relation to a specified motor vehicle or specified class of motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1.

(2) A dealer must not use a motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1 on a road in reliance on the exemption under regulation 3, unless the Secretary has authorised that person to do so under subclause (1).

Regulation 3AA: inserted, on 15 December 2006, by regulation 5 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 2006 (SR 2006/380).

3A Further exemptions

Any motor vehicle that is being used on any road solely for the purposes of obtaining evidence of vehicle inspection issued under the Land Transport Act 1998 is hereby exempted from the licensing requirements of section 5 of the Act.

Regulation 3A: substituted, on 30 October 1995, by section 5(4) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45).

Regulation 3A: amended, on 3 May 1999, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1999 (SR 1999/88).

3B Exemption from requirement to be continuously licensed

The following classes of motor vehicle are exempt from the requirement of section 5(1A)(a) of the Act to be licensed at all times by their owners:

(a) vehicles described in any part of the Schedule of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004 (SR 2004/238) (being vehicles exempt from excise duty under Part 5 of the Government Roading Powers Act 1989):

(b) motor vehicles manufactured before 1 January 1919 (veteran vehicles):

(c) motor vehicles manufactured on or after 1 January 1919 that are at least 40 years old (vintage vehicles):

(d) pedestrian-controlled goods service vehicles:

(e) tractors and self-propelled agricultural machines:

(f) trailers having a gross laden weight not exceeding 3 500 kilograms:

(g) all terrain vehicles (as defined in regulation 2 of the Transport (Drivers Licensing) Regulations 1987 (SR 1987/205)):

(h) motor vehicles while being held for the purpose of sale by any motor vehicle trader within the meaning of the Motor Vehicle Sales Act 2003 who is or belongs to a class of motor vehicle traders approved by the Secretary by notice in the *Gazette* for the purpose of this regulation:

(i) stolen motor vehicles (until returned to the owner's possession after the theft).

Regulation 3B: inserted, on 1 September 1997, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1997 (SR 1997/141).

Regulation 3B(a): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Regulation 3B(a): amended, on 9 September 2004, pursuant to regulation 7 of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004 (SR 2004/238).

Regulation 3B(h): amended, on 15 December 2003, by section 145 of the Motor Vehicle Sales Act 2003 (2003 No 12).

3C Owner may apply for temporary exemption from requirement to be continuously licensed

(1) The registered owner of a motor vehicle who expects or currently finds that the vehicle will not be or is not being used on a road for a continuous period of at least 3 months, whether because of the owner's absence from New Zealand or hospitalisation or for any other reason, may apply in writing to the Secretary for an exemption from the requirement of section 5(1A)(a) of the Act to keep the vehicle continuously licensed.

(2) The application must be on a form approved by the Secretary, and contain such information and declarations as may be specified in the form.

(3) On receipt of a properly completed application, the Secretary must grant an exemption from section 5(1A)(a) of the Act for such period not less than 3 months and not more than 12 months as the Secretary thinks fit.

(4) The exemption has effect only for the period specified in it, but may from time to time be renewed by the Secretary for a further period or periods of not less than 3 months and not more than 12 months as the Secretary thinks fit.

(5) An exemption or renewal of an exemption may include a period occurring before the date on which the exemption or renewal is actually granted, but if the application for the exemption is lodged with the Secretary more than 60 days after the date of expiry of the latest licence issued in respect of the vehicle to which the application relates, the registered owner is liable to pay an amount equal to the sum of—

(a) the licence application administration fee specified in Part 2A of Schedule 2; and

(b) an amount representing that part of the other fees payable in respect of licensing of the vehicle that relates to the period commencing on the day after the date of expiry and ending with the day immediately preceding the date on which the application is lodged.

Regulation 3C: inserted, on 1 September 1997, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1997 (SR 1997/141).

3D Exempt vehicle may not be used on road

(1) The fact that a vehicle is exempt under regulation 3B or regulation 3C from the requirement to be licensed at all times by its owner does not exempt the vehicle from the requirement to be licensed at any time when it is used on a road and, subject to subclause (2), the exemption has no effect while the vehicle is being used on a road.

(2) An exemption of a vehicle specified in paragraph (h) or paragraph (i) of regulation 3B will not cease to have effect merely because the stolen vehicle is being used without the authority of the owner or the vehicle held for sale is being driven by a prospective purchaser.

(3) To avoid doubt, this regulation does not apply to a motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1.

Regulation 3D: inserted, on 1 September 1997, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1997 (SR 1997/141).

Regulation 3D(3): added, on 15 December 2006, by regulation 6 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 2006 (SR 2006/380).

3E Exemption of exempt vehicle from licence fees

(1) While a vehicle is exempt from the requirement of section 5(1A)(a) of the Act to be continuously licensed, the vehicle is also exempt from the requirement of section 5(1A)(b) to pay the fees payable in respect of the licensing of the vehicle (except as provided in regulation 3C(5)).

(2) This regulation does not apply to a motor vehicle of a kind described in clause 6 of Part 1 of Schedule 1.

Regulation 3E: inserted, on 1 September 1997, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1997 (SR 1997/141).

Regulation 3E(2): added, on 15 December 2006, by regulation 7 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 2006 (SR 2006/380).

3F Revocation of exemption from continuous licensing

(1) The Secretary may by notice in writing to the vehicle owner revoke a current exemption granted under regulation 3C if—

(a) the vehicle to which the exemption relates is used on a road at any time while the exemption has effect (except in the circumstances referred to in regulation 3D(2)); or

(b) the owner of the vehicle requests in writing that the exemption be revoked.

(2) A revocation takes effect from the date specified in the notice of revocation, which date may not be earlier than—

(a) the date the vehicle was used on the road, in the case of a revocation under subclause (1)(a); or

(b) the date the owner made the request, in the case of a revocation under subclause (1)(b).

Regulation 3F: inserted, on 1 September 1997, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1997 (SR 1997/141).

4 Fees

There shall be paid in respect of the matters specified in Schedule 2 the fees specified in that schedule.

5 Fees exclusive of goods and services tax

The fees specified in Schedule 2 are exclusive of goods and services tax payable under the Goods and Services Tax Act 1985.

5A Fees and charges identified as land transport revenue

The fees and charges (excluding applicable refunds, and goods and services tax payable under the Goods and Services Tax Act 1985) specified in Parts 1 and 2 of Schedule 2 are land transport revenue for the purposes of the Land Transport Management Act 2003.

Regulation 5A: added, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Schedule 1

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Part 1
Motor vehicles exempted from registration and licensing (including exemption from fees)

1 Any motor vehicle while being used on a road that is closed to ordinary vehicular traffic under regulations made pursuant to section 77(1)(u) of the Transport Act 1962 or under regulations or rules made under the Land Transport Act 1998.

Schedule 1 Part 1 clause 1: amended, on 3 May 1999, by regulation 3(a) of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1999 (SR 1999/88).

2 Any vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power.

3 Any trailer designed exclusively for agricultural operations and used on a road only when proceeding to or from a farm or when being inspected, serviced, or repaired.

In this clause, the term **agricultural operations** means operations concerned directly with the management of a farm; and includes the transport on a road of the produce of a farm, farm

Part 1—*continued*

implements, stock, or other requisites of any kind whatsoever for a farm where, and only where, they are transported from one part of a farm to another part of the same farm or from one farm to another adjoining farm which is owned or managed by the same person. For the purposes of this definition 2 farms shall be deemed to be adjoining if they are contiguous or are contiguous except for a separation by a river, stream, drain, canal, or other watercourse, or by a road, motorway, or railway.

Schedule 1 Part 1 clause 3: amended, on 3 May 1999, by regulation 3(b) of the Transport (Vehicle Registration and Licensing) Amendment Regulations 1999 (SR 1999/88).

4 Any trailer that is attached to or being drawn by any vehicle that is an exempted vehicle for the purposes of the provisions of the Government Roading Powers Act 1989 relating to the refund of excise duty and goods and services tax on motor spirits.

Schedule 1 Part 1 clause 4: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

5 Any motor vehicle that is registered in a State that is a party to the Convention on Road Traffic signed at Geneva on 19 September 1949 or a State that is a party to the Convention on Road Traffic signed at Geneva on 8 November 1968, while the vehicle remains in the ownership of the person who brought it into New Zealand, and—

(a) the owner of the vehicle holds a current driving permit recognised as if it were a driver's licence issued in New Zealand; and

(b) the vehicle remains registered in that State and evidence of that registration is carried on the vehicle; and

(c) there is displayed on the back of the vehicle a registration number allocated to it by that State or a competent authority of that State, and an appropriate distinguishing sign indicating the place of registration of the motor vehicle; and

Part 1—*continued*

(d) the vehicle has been in New Zealand for less than 18 months.

6 So long as they are used on a road only between a dealer's place of business and the location of an event,—

(a) a new agricultural vehicle; and
(b) a new boat trailer and associated new boat; and
(c) a new heavy motor vehicle; and
(d) a new caravan.

Schedule 1 Part 1 clause 6: added, on 15 December 2006, by regulation 8 of the Transport (Vehicle Registration and Licensing) Amendment Regulations 2006 (SR 2006/380).

Part 2
Motor vehicles not exempted from registration and licensing, but exempted from registration and licensing fees

1 Any motor vehicle while being used on any road that is not a public highway.

2 Any motor vehicle that is used on a road that is a public highway only in connection with the inspection, servicing, or repair of the vehicle or for the purpose of allowing any person to sit a practical driving test in that vehicle.

3 Any pedestrian-controlled goods service vehicle.

4 Any motor vehicle propelled and supported solely by self-laying tracks.

5 Any motor vehicle used on roads only in road construction zones in accordance with notices declaring such zones.

6 Any motor vehicle that is used on a road only in crossing or proceeding along a section of the road where it has been au-

Part 2—*continued*

thorised to operate by the controlling authority of the road by an authorisation that requires—

(a) a written agreement by the operator of the vehicle, or the person for whom the vehicle is being operated, to construct, reconstruct, maintain, or restore to the satisfaction of the controlling authority all or part of the road used by the vehicle; and

(b) the erection and maintenance of warning devices, signs, or control devices as required by the controlling authority and the New Zealand Transport Agency; and

(c) where the use of the road does not consist solely of the direct crossing of the road, the prior approval of the New Zealand Transport Agency.

Schedule 1 Part 2 clause 6(b): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Schedule 1 Part 2 clause 6(c): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

7 Any all terrain vehicle (within the meaning of regulation 2 of the Transport (Drivers Licensing) Regulations 1987) that is used on a road that is a public highway—

(a) in moving from the owner's place of residence to a road that is not a public highway, where the distance travelled does not exceed 3 kilometres; or

(b) in connection with the inspection, servicing, or repair of the vehicle.

The vehicles described in this clause may be referred to as Class EA vehicles for the purposes of registration and licensing under the Act.

Schedule 2

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Fees in respect of vehicle registration and licensing

Part 1
Registration fees

			$
1	(a)	for any motor vehicle manufactured before 1 January 1919	47
	(b)	for any motor vehicle manufactured after 31 December 1918 but not later than 40 years before the date of registration	47
2	For any motor car—		
	(a)	having a motor the total piston displacement of which does not exceed 1 300 cubic centimetres	74
	(b)	having a motor the total piston displacement of which exceeds 1 300 but does not exceed 2 600 cubic centimetres	112
	(c)	having a motor the total piston displacement of which exceeds 2 600 but does not exceed 4 000 cubic centimetres	139
	(d)	having a motor the total piston displacement of which exceeds 4 000 cubic centimetres	232
3	For any goods service vehicle—		
	(a)	being a heavy motor vehicle	232
	(b)	in every other case	139
4	For any motorcycle having a motor the total piston displacement of which exceeds 60 cubic centimetres, and for any trailer or traction engine		47
5	For any other motorcycle and for any moped		28
6	For any tractor or any self-propelled agricultural machine		10
7	For any all terrain vehicle		47
8	For any other motor vehicle		92

Part 1—*continued*

For the purposes of this Part, the term **total piston displacement**, in relation to the motor of any motor vehicle, means—

(a) the total piston displacement as specified by the manufacturer, in any case where that displacement has been specified by the manufacturer, in cubic centimetres and the motor has not subsequently been modified in relation to its piston displacement:

(b) the total piston displacement as specified by the manufacturer multiplied by 16.39, in any case where that displacement has been specified by the manufacturer in cubic inches and the motor has not subsequently been modified in relation to its piston displacement:

(c) the total piston displacement as determined by the New Zealand Transport Agency in any other case.

Nothing in clauses 2, 3, 4, 5, and 8 shall apply with respect to any motor vehicle to which clause 1 applies.

Schedule 2 Part 1: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Part 2
Annual licence fees

Schedule 2 Part 2: substituted, on 30 October 1995, by regulation 2 of the Transport (Vehicle Registration and Licensing) Regulations 1994, Amendment No 2 (SR 1995/202).

		$
1	For any motorcycle having a motor the total piston displacement of which exceeds 60 cubic centimetres	24.50
2	For any other motorcycle and for any moped	14.50
3	(a) for any motor vehicle manufactured before 1 January 1919	10.50
	(b) for any motor vehicle (not being a motorcycle or moped to which clause 2 applies) manufactured after 31 December 1918 but not later than 40 years before the date of licensing	19.50

Part 2—*continued*

		$
4	For any trailer that with the load it is for the time being carrying does not weigh more than 2 000 kilograms	24.50
5	For any tractor or any self-propelled agricultural machine	24.50
6	For any traction engine	10.50
7	For any all terrain vehicle	24.50
8	For any other motor vehicle	43.50
9	For any trade licence for use on a motorcycle or moped	24.50
10	For any trade licence for use on any other motor vehicle	43.50

Nothing in clauses 1, 2, 4, 5, and 8 shall apply with respect to any motor vehicle to which clause 3 applies.

Part 2A
Additional annual licence fee to fund safety standards

Schedule 2 Part 2A: substituted, on 1 July 1999, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations (No 2) 1999 (SR 1999/200).

For any motor vehicle (other than a caravan, a trailer under 3.5 tonnes, a moped, a tractor, or a vehicle of a kind that is a miscellaneous vehicle)	$1.64

In this Part, the term **caravan** means a trailer that is designed to be used for human habitation.

In this Part, the term **miscellaneous vehicle** means—

(a) a motor vehicle to which Part 2 of Schedule 1 applies; or

(b) a motor vehicle that is an exempted vehicle within the meaning of regulation 3(1) of the Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004.

Schedule 2 Part 2A: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Part 2B
Licence application administration fee

Schedule 2 Part 2B: inserted, on 1 July 1999, by regulation 2 of the Transport (Vehicle Registration and Licensing) Amendment Regulations (No 2) 1999 (SR 1999/200).

Administration fee for each application for a licence	$6.50

This fee is in addition to any fee prescribed in Part 2 or Part 2A.

Part 3
Change of ownership fees
[Revoked]

Schedule 2 Part 3: revoked, on 30 October 1995, by regulation 3 of the Transport (Vehicle Registration and Licensing) Regulations 1994, Amendment No 2 (SR 1995/202).

Part 4

	$
For the Registrar holding personalised number plates (pursuant to section 9C(2) of the Act)	$26.67 per set for the first 12 months and $0.89 per set for each month, or part thereof, thereafter

For the purposes of this Part, a set of plates comprises the plate or plates issued in respect of a vehicle.

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 3 November 1994.

Contents

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2 Status of reprints
3 How reprints are prepared
4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
5 List of amendments incorporated in this reprint (most recent first)

Notes

1 General

This is a reprint of the Transport (Vehicle Registration and Licensing) Regulations 1994. The reprint incorporates all the amendments to the regulations as at 1 May 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* http://www.pco.parliament.govt.nz/reprints/.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, *see* http://www.pco.parliament.govt.nz/editorial-conventions/ or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted.

A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as "of this section" and "of this Act")
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as "the 1st day of January 1999" is now expressed as "1 January 1999")

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 List of amendments incorporated in this reprint (most recent first)

Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011 (SR 2011/79): regulation 97(b)

Land Transport Management Amendment Act 2008 (2008 No 47): section 50(2)

Transport (Vehicle Registration and Licensing) Amendment Regulations 2006 (SR 2006/380)

Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004 (SR 2004/238): regulation 7

Motor Vehicle Sales Act 2003 (2003 No 12): section 145

Transport (Vehicle Registration and Licensing) Amendment Regulations (No 2) 1999 (SR 1999/200)

Transport (Vehicle Registration and Licensing) Amendment Regulations 1999 (SR 1999/88)

Transport (Vehicle Registration and Licensing) Amendment Regulations 1997 (SR 1997/141)

Transport (Vehicle Registration and Licensing) Regulations 1994, Amendment No 2 (SR 1995/202)

Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1995 (1995 No 45): section 5(4)

Wellington, New Zealand:
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